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HOUSE RESEARCH ORGANIZATION

daily floor report

Wednesday, April 17, 2019
86th Legislature, Number 48
The House convenes at 10 a.m.
Part One

Five bills are on the Major State Calendar, three joint resolutions are on the Constitutional Amendments Calendar, and 21 bills are on the General State Calendar for second reading consideration today. The bills and joint resolutions analyzed or digested in Part One of today's *Daily Floor Report* are listed on the following page.



Dwayne Bohac
Chairman
86(R) - 48

HOUSE RESEARCH ORGANIZATION

Daily Floor Report

Wednesday, April 17, 2019

86th Legislature, Number 48

Part 1

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SUBJECT: Developing a disaster preparation plan for political subdivisions

COMMITTEE: Homeland Security and Public Safety — committee substitute recommended

VOTE: 9 ayes — Nevárez, Paul, Burns, Calanni, Clardy, Goodwin, Israel, Lang, Tinderholt
0 nays

WITNESSES: For — Burt Mills, Aransas County; William DiLibero, City of Port Lavaca; Patrick Rios, City of Rockport; Daryl Fowler, DeWitt County, Texas; Jimmy Kendrick, Town of Fulton; (*Registered, but did not testify*: Tammy Embrey, City of Corpus Christi; Randy Cain and Clifford Sparks, City of Dallas; Fatima Mann, Community Advocacy and Healing Project; Jim Allison, County Judges and Commissioners Association of Texas; Priscilla Camacho, Dallas Regional Chamber; Trent Townsend, DRC Emergency Services; Tom Oney, Lower Colorado River Authority; Joel Romo, Nueces County; Russell Schaffner, Tarrant County; Aurora Flores, Texas Association of Counties; Amy Beneski, Texas Association of School Administrators; Gabriela Villareal, Texas Conference of Urban Counties; Mike Wisko, Texas Fire Chiefs Association; Julia Parenteau, Texas Realtors; Perry Fowler, Texas Water Infrastructure Network; Kay Roach, Town of Woodsboro; Ben Zeller, Victoria County; Augustus Campbell, West Houston Association; Jeff Bauknight)

Against — None

On — (*Registered, but did not testify*: Chris Adams, Health and Human Services Commission; Nim Kidd, Texas Division of Emergency Management, Texas Emergency Management Council)

BACKGROUND: Government Code sec. 418.016 allows the governor to suspend any regulatory statute prescribing the conduct of state business or the rules or orders of a state agency if compliance with the statute, rules, or orders would prevent, hinder, or delay necessary disaster relief actions.

Government Code ch. 2155 subch. I requires the comptroller to develop a schedule of multiple award contracts that have been previously awarded through a competitive process by the federal government or any other governmental entity in any state.

DIGEST:

CSHB 7 would require the Texas Division of Emergency Management (TDEM) to develop a plan to assist political subdivisions with executing contracts for services these subdivisions were likely to need following a disaster. The plan would include:

- training on the benefits to political subdivisions from executing disaster preparation contracts in advance of a disaster;
- recommendations on services political subdivisions could need after a disaster, including debris management and infrastructure repair; and
- assistance to political subdivisions with finding persons capable of providing these services and assistance with executing contracts with those persons prior to a disaster.

TDEM would consult with the comptroller on including a disaster services contract on the schedule of multiple award contracts developed by the comptroller or as part of another cooperative purchasing program administered by the comptroller.

CSHB 7 also would require the governor's office to compile and maintain a comprehensive list of regulatory statutes and rules that could require suspension during a disaster.

The bill would take effect September 1, 2019.

**SUPPORTERS
SAY:**

CSHB 7 would help to improve disaster response in the state by eliminating administrative barriers and assisting local communities in procuring key emergency services before a disaster.

The bill includes recommendations from the Governor's Commission to Rebuild Texas, including the recommendation to create a standing list of regulatory waivers. Creating such a list of rules and statutes to be waived

in responding to disasters would help expedite the process of disaster response by eliminating administrative barriers.

The bill also would help establish early access to essential goods and services during a disaster by assisting cities and counties in procuring contracts for disaster response services such as a debris removal and infrastructure repair. The bill would streamline this process by requiring consultation with the comptroller to include these disaster services contracts under the existing schedule of multiple award contracts.

OPPONENTS
SAY:

No concerns identified.

SUBJECT: Transferring administration of the Division of Emergency Management

COMMITTEE: Homeland Security and Public Safety — committee substitute recommended

VOTE: 9 ayes — Nevárez, Paul, Burns, Calanni, Clardy, Goodwin, Israel, Lang, Tinderholt
0 nays

WITNESSES: For — Rhonda Sepulveda, Catholic Charities of the Archdiocese of Galveston-Houston; Patrick Rios, City of Rockport; Mike Wisko, Texas Fire Chiefs Association; Jimmy Kendrick, Town of Fulton (*Registered, but did not testify*: Fatima Mann, Community Advocacy and Healing Project; Trent Townsend, DRC Emergency Services; J. Pete Laney, State Firefighters' and Fire Marshals' Association; Brian Yarbrough, Texas EMS Trauma & Acute Care Foundation; Monty Wynn, Texas Municipal League; Perry Fowler, Texas Water Infrastructure Network; Kay Roach, Town of Woodsboro)

Against — None

On — Nim Kidd, Texas Division of Emergency Management, Texas Emergency Management Council; (*Registered, but did not testify*: Shack Nail, Employees Retirement System of Texas)

DIGEST: CSHB 2794 would transfer the administration of the Texas Division of Emergency Management (TDEM) from the Texas Department of Public Safety (DPS) to the Texas A&M University System and maintain all previously established rules, policies, procedures, and decisions. All employees of TDEM as operated by DPS would become employees of TDEM under the A&M System.

DPS and the A&M System would enter into a memorandum of understanding relating to the transfer no later than June 1, 2019. The memorandum would include:

- a timetable and specific steps and methods for the transfer;
- measures to ensure against any unnecessary disruption to the operation of TDEM during the transfer process; and
- a provision that the terms of any memorandum of understanding entered into previously by the governor, the A&M System, DPS and TDEM and related to the transfer remained in effect until the transfer was completed.

The bill would establish that any reference in law or administrative rule to DPS relating to the administration of TDEM be understood to mean the A&M System. It would also make many specific changes to statute to reflect the new arrangement and would update other proper names that were no longer in use.

CSHB 2794 would make DPS responsible for the employer contribution for the cost of retiree insurance for employees of TDEM who retired before September 1, 2019.

TDEM would manage and staff the state operations center under an agreement with DPS.

The bill would remove a representative of the governor's office of homeland security from a list of personnel required to meet bimonthly to coordinate the state's emergency management and homeland security efforts.

The chief of TDEM would be appointed by the governor and serve at the pleasure of the governor. The governor would be required to review the composition of the Emergency Management Council at least biennially and to update or expand the participating entities if necessary.

The transfer and related administrative changes would be effective as of September 1, 2019.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.

**SUPPORTERS
SAY:**

CSHB 2794 would save lives and property in Texas by streamlining the state's administrative structure with regard to natural disasters. The governor's Commission to Rebuild Texas found that the state's response to and recovery from natural disasters could be improved if responsible state agencies were integrated more effectively. To that end, the commission recommended that TDEM be unified with the emergency management system functions currently performed by the Texas A&M University System. This change has already begun, with the two entities having entered into a memorandum of understanding that expires on August 31, 2019.

CSHB 2794 would help the state move toward its goal of creating a single, unified structure for emergency preparation, prevention, response, recovery, and mitigation.

**OPPONENTS
SAY:**

No concerns identified.

SUBJECT: Suspending certain handgun laws during a state of disaster

COMMITTEE: Homeland Security and Public Safety — favorable, without amendment

VOTE: 6 ayes — Nevárez, Paul, Burns, Clardy, Lang, Tinderholt
3 nays — Calanni, Goodwin, Israel

WITNESSES: For — Rachel Malone, Gun Owners of America; Tara Mica, National Rifle Association; CJ Grisham, Open Carry Texas; Walter West, Republican Party of Texas; Alice Tripp, Texas State Rifle Association; Brad Hodges; (*Registered, but did not testify*: Eric Carcerano, Chambers County District Attorney's Office; Quint Balkcom, Game Warden Peace Officer's Association; Justin Delosh, Lone Star Gun Rights; Mark Dorazio, Terri Leo Wilson, and Tanya Robertson, Republican Party of Texas; Stephanie Collinson Cooper; Jill Glover; Thomas Parkinson; Gregory Switzer; Chris Woolsey)

Against — Steve Wohleb, Texas Hospital Association; (*Registered, but did not testify*: Karen Kelley, League of Women Voters of Texas; Emma Thomson, Texas Gun Sense; Joseph Longhurst)

On — (*Registered, but did not testify*: Amy Hedtke; Lynette Lucas)

BACKGROUND: Under Penal Code sec. 46.02, it is a crime for a person to carry a weapon, including a handgun, if not on the person's own premises or inside of or directly in route to the person's motor vehicle or watercraft. It also is a crime for a person to have a handgun in plain view in a motor vehicle or watercraft unless the person was licensed to carry a handgun and carried it in a shoulder or belt holster. An offense under this section is a class A misdemeanor (up to one year in jail and/or a maximum fine of \$4,000).

Sec. 46.03 makes it a third-degree felony (two to 10 years in prison and an optional fine of up to \$10,000) for a person to possess a firearm on certain prohibited premises, including a school or educational institution, polling place, government court, or racetrack.

Sec. 46.035 creates offenses for carrying a handgun by a license holder on

certain premises under certain conditions, including in plain view in a public place, at an institution of higher education where it is prohibited, at a business that derives at least 51 percent of its income from alcohol sales, at a hospital or nursing facility, in an amusement park, or at a place of worship. An offense under this section is a class A misdemeanor, except if it occurred at a business deriving income from alcohol sales, it is a third-degree felony.

DIGEST: HB 1177 would revise the application of certain handgun laws in a declared state of disaster.

The offense of unlawfully carrying a weapon under Penal Code sec. 46.02 would not apply to a person carrying a handgun if:

- the person carried the handgun while evacuating from an area subject to a mandatory evacuation order during a declared state of disaster or local state of disaster or while reentering that area following the person's evacuation;
- not more than 168 hours had elapsed since the evacuation was ordered or since it was issued and the governor had extended the period during which a person could carry a handgun; and
- the person was not prohibited by state or federal law from possessing a firearm.

The offenses under Penal Code sec. 46.02 and certain provisions of secs. 46.03 and 46.035 would not apply to a person who carried a handgun if:

- the person carried the handgun on an otherwise prohibited premises that was operating as an emergency shelter during a declared state of disaster or local state of disaster;
- the person was authorized to carry the handgun by the owner, controller, or operator of the premises; and
- the person was not prohibited by state or federal law from possessing a firearm.

The bill would take effect September 1, 2019, and would apply only to an offense committed on or after that date.

**SUPPORTERS
SAY:**

HB 1177 would provide clarity for lawful gun owners evacuating during a state of disaster. Current law does not address individuals who evacuate with legally owned handguns by means other than their personal vehicles or to an emergency shelter. Texans should have the ability to take certain firearms with them in a mandatory evacuation without fear of breaking the law or being forced to leave handguns behind in vehicles or homes, where they could be at risk from looters.

Because the bill would allow shelter operators to decide whether to allow citizens to bring their handguns into the premises or not, property owners' rights would be protected. The bill would not set specific requirements for shelter operators but instead would provide them with the flexibility to set their own conditions for safe gun storage and to inform the local community in a way that best fits its needs. The bill author also intends to offer a floor amendment that would ensure that a person carrying a handgun complied with any rules and regulations set by the shelter operator.

**OPPONENTS
SAY:**

HB 1177 would place an additional burden on first responders and shelter operators during an already stressful period of disaster response. The bill would allow a person to carry a handgun into an otherwise prohibited place if it was operating as a shelter following a disaster, a time when evacuees would be experiencing emotional distress. This could present a public safety concern.

Because HB 1177 would not establish a standardized way for shelter operators to notify evacuees of whether or not handguns were authorized on the premises and of any requirements for safe gun storage, the bill would inappropriately give individuals the discretion to set aside existing law without clear rules or guidelines.

**OTHER
OPPONENTS
SAY:**

HB 1177 should include a provision that the bill would be in effect for the entire time a state of disaster was in place, rather than only during the first seven days. A state of disaster often lasts longer than a week, and the bill should cover the entire duration of a state of disaster without having to depend on the governor to extend the time period during which it would be effective. This would reduce ambiguity and better protect lawful gun owners from excessive penalties.

NOTES: The bill author intends to offer a floor amendment to require a person carrying a handgun to comply with any rules and regulations of the owner, controller, or operator of the premises that governed the carrying of the handgun. The amendment also would remove a hospital or a nursing facility as a place where a license holder could carry a handgun if other bill conditions were met.

SUBJECT: Transferring the driver's license and other programs from DPS to TxDMV

COMMITTEE: Transportation — committee substitute recommended

VOTE: 9 ayes — Canales, Landgraf, Bernal, Y. Davis, Hefner, Krause, Leman, Martinez, Ortega

0 nays

4 absent — Goldman, Raney, Thierry, E. Thompson

WITNESSES: For — (*Registered, but did not testify*: Angela Smith, Fredericksburg Tea Party; Michael Belsick; Terri Hall; Matt Long; Ken Olson)

Against — Michelle French and Shay Luedeke, Tax Assessor-Collectors Association of Texas; (*Registered, but did not testify*: Gwenda Tschirhart, Tax Assessor-Collectors Association of Texas; Alexie Swirsky)

On — (*Registered, but did not testify*: Whitney Brewster, Linda Flores, Mike Higginbotham, and Jeremiah Kuntz, Texas Department of Motor Vehicles; Amanda Arriaga, Texas Department of Public Safety)

DIGEST: CSHB 11 would transfer from the Department of Public Safety (DPS) to the Texas Department of Motor Vehicles (TxDMV) the powers and duties of the following programs effective January 1, 2021:

- the issuance of driver's licenses under Transportation Code chs. 521 and 522;
- the issuance of personal identification certificates under Transportation Code ch. 521;
- the issuance of election identification certificates under Transportation Code ch. 521A; and
- the registration of voters during the issuance or renewal of a driver's license or personal identification certificate.

On September 1, 2019, or as soon as possible after that date, the public safety director would have to adopt a comprehensive plan to ensure the

smooth transition. DPS would continue to perform the duties and functions being transferred until the transfer was completed.

Study of transfer. As soon as practicable after the bill's effective date, TxDMV would have to study the best use of available state and county resources, including personnel, property, and technology resources, to perform the duties associated with the transferred programs. In the study, TxDMV would have to prioritize customer service satisfaction, including reducing wait times; accessibility to facilities, including in rural areas; and administrative efficiency and cost savings. DPS would assist in the study if requested.

Continuation of functions. An activity conducted by DPS would be considered to be an activity conducted by TxDMV. All DPS rules would be continued in effect until superseded by a TxDMV rule.

A license or certification issued by DPS would be continued as provided by the law in effect immediately before the bill's effective date.

A complaint, investigation, contested case, or other proceeding pending on the bill's effective date would be continued without change in status.

Transfer of funds, personnel, and property. All money, contracts, leases, rights, property, records, bonds, and other obligations related to the programs would be transferred from DPS to TxDMV.

An employee of DPS' Driver License Division or any other employee related to a power or duty transferred under the bill would become an employee of TxDMV.

The unobligated and unexpended balances of any appropriations made to DPS in connection with or relating to programs for fiscal 2020-21 would be transferred and reappropriated to TxDMV.

Information systems. The governing bodies of DPS and TxDMV would have to enter into or revise a joint memorandum of understanding (MOU) to connect each agency's information systems so each department could effectively and efficiently perform the functions and duties assigned to it.

The agencies would have to implement the joint MOU using existing personnel and resources, and it would have to be entered into or revised at the first meeting of the TxDMV board after the bill's effective date.

Confidential information shared under the MOU would remain subject to the same requirements and restrictions that were imposed by law on the department that originally obtained or collected the information. Information could be shared under the MOU without consent of the subject of the information.

The governing bodies of the agencies could enter into or revise one or more other joint memoranda. An MOU could include an agreement for the provision of office space, utilities, and other facility services; the need for full-time equivalent positions of DPS to provide support services in addition those transferred to TxDMV; other support services; and the transfer of information technology.

Other provisions. The bill would make certain changes to the Alcoholic Beverage Code, Business and Commerce Code, Code of Criminal Procedure, Election Code, Family Code, Finance Code, Government Code, Health and Safety Code, Human Resources Code, Occupations Code, and Tax Code related to the transfer of programs.

Reproduction of records. TxDMV could photograph, microphotograph, or film any record in connection with the issuance of a driver's license or commercial driver's license and could create original records in micrographic form on media, such as computer output microfilm.

A photograph, microphotograph, or film of a record would be equivalent to the original record for all purposes, including introduction as evidence in all courts and administrative agency proceedings. A certified or authenticated copy of such a photograph, microphotograph, or film would be admissible as evidence equally with the original.

The TxDMV director could certify the authenticity of a reproduced record and would have to charge a fee for the certified record. Certified records would be furnished to any person authorized by law to receive them.

The bill would prohibit an original fingerprint card from being photographed or filmed to dispose of the original record.

Photographs for sex offender registry. TxDMV would have to send to DPS any photograph of a person required to register as a sex offender that was made available through the process of issuing, renewing, or correcting a driver's license or personal identification certificate for DPS to use in the central sex offender database.

Notification of driver's license suspensions. TxDMV would have to notify DPS of the suspension of a driver's license and vehicle registration under the Motor Vehicle Safety Responsibility Act (Transportation Code ch. 601).

TxDmv would have to send DPS a copy of each notice of suspension or denial of a driver's license due to a driver's refusal to give a specimen requested by a peace officer who believed the person was intoxicated.

Driver and safety education advisory committee. The bill would add a TxDMV representative to the membership of the advisory committee to the Texas Commission of Licensing and Regulation on driver and traffic safety education.

Limit on personnel at driver's license facilities. The bill would remove a provision limiting the number of commissioned officers and supervising personnel assigned to driver's license facilities.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.

SUPPORTERS
SAY:

CSHB 11 would address concerns that the current processes, procedures, and management of the driver's license program are in need of reform by transferring administration of the program from the Department of Public Safety (DPS) to the Texas Department of Motor Vehicles (TxDMV). Transferring the program would allow DPS to continue to prioritize other public safety functions and combine the program's administration with motor vehicle services and regulation in TxDMV. Currently, 42 states

issue drivers' licenses through a department of motor vehicles.

Sunset staff have noted that TxDMV administering the driver's license program could be more efficient and benefit customers. DPS has had problems with driver's license customer service, including long wait times at offices and its call center, and according to Sunset staff, these problems have only gotten worse. TxDMV has a division dedicated to customer relations that receives high customer satisfaction ratings, and customers could benefit from having both driver's license and motor vehicle functions in a single agency.

Transferring the driver's license program from DPS to TxDMV would be complex, requiring consideration of information technology infrastructure and systems, human resources, facilities, and other factors. For this reason, the bill provides a framework for DPS and TxDMV to work together to evaluate the challenges of and recommend solutions to ensure a successful transfer. The study would include an assessment of personnel, property, and technology resources, among other items, providing an opportunity for TxDMV to address any needs prior to transfer.

The timelines for the study and transfer of the program under the bill are necessary to ensure that the Legislature would have an opportunity to address any needs of the driver's license program or TxDMV through legislation and the budget process during the next session.

**OPPONENTS
SAY:**

Although it makes sense to move the driver's license program from DPS to TxDMV, now is not the time because TxDMV would need additional resources to improve effectiveness before any transfer. TxDMV lacks sufficient leadership and has deficiencies in its information technology system capacity that need to be addressed for it to handle the driver's license program.

CSHB 11 should be amended to include a third-party study of the transfer of the driver's license program from DPS to TxDMV as recommended by Sunset staff. This study by a neutral party would be critical for evaluating the challenges with this complex transition. One of the main issues the assessment should address is the migration of information technology hardware and software for the driver's license program from DPS' own

data center to possibly either the state data center or a commercial cloud. The associated costs of such a migration are estimated to be significant.

In providing for the third-party assessment, the bill also should postpone the timelines for the DPS director's plan, the TxDMV study, and the transition to a date that would allow the assessment to be fully considered and any identified issues addressed.

NOTES:

According to the Legislative Budget Board, the statewide fiscal implications could not be determined because the full impact to the infrastructure and applications that support the driver's license program, such as buildings, staff, and information technology resources, could not be known. The Legislative Budget Board estimates that the transition could result in significant costs to the state.

The House-passed version of HB 1 by Zerwas would include a contingency rider in TxDMV's bill pattern related to the driver's license program transfer.

SUBJECT: Dedicating sporting goods sales tax revenue to TPWD and THC

COMMITTEE: Appropriations — favorable, without amendment

VOTE: 23 ayes — Zerwas, Longoria, C. Bell, G. Bonnen, Buckley, Capriglione,
Cortez, S. Davis, M. González, Hefner, Howard, Jarvis Johnson, Miller,
Muñoz, Schaefer, Sherman, Smith, Stucky, Toth, J. Turner, VanDeaver,
Walle, Wilson

 0 nays

 4 absent — Minjarez, Rose, Sheffield, Wu

WITNESSES: For — Jerry Bark, City of Harker Heights and Texas Recreation and Parks
Society; (*Registered, but did not testify*: Brian Tickle, Access Fund;
Lauren Spreen, Apache Corporation; Tammy Embrey, City of Corpus
Christi; Guadalupe Cuellar, City of El Paso; Sally Bakko, City of
Galveston; Christine Wright, City of San Antonio; Dennis Borel,
Coalition of Texans with Disabilities; Joey Park, Coastal Conservation
Association Texas, Texas Wildlife Association, Texas Agriculture Land
Trust; Kirby Brown, Ducks Unlimited; Luke Metzger, Environment
Texas; Allison Brooks, Friends Of Lake Wood; David Sinclair, Game
Warden Peace Officers Association; Pamela Bixby, League of Women
Voters Texas; Bill Kelly, City of Houston Mayor's Office; Cary Dupuy,
National Parks Conservation Association; Rick Thompson, Texas
Association of Counties; Scott Moorhead, Texas Audubon; Janice
Bezanson, Texas Conservation Alliance; John Shepperd, Texas
Foundation for Conservation, Texas Coalition for Conservation; Scott
Houston, Texas Municipal League; Ron Hinkle, Texas Travel Industry
Association; Laura Huffman, The Nature Conservancy; Alexis Tatum,
Travis County Commissioners Court)

 Against — None

 On — (*Registered, but did not testify*: Brent Leisure and Mike Jensen,
Texas Parks and Wildlife Department)

BACKGROUND: Tax Code sec. 151.801 requires 94 percent of the proceeds from the collection of state taxes imposed on the sale, storage, or use of sporting goods to be credited to the Texas Parks and Wildlife Department (TPWD), while 6 percent is credited to the Texas Historical Commission (THC). The comptroller determines the amounts deposited to the funds.

Funds credited to TPWD accounts may be appropriated only to acquire, operate, maintain, and make capital improvements to parks; provide state assistance for local parks; and fund the state contributions for certain employee benefits.

Funds credited to THC are deposited to the Historic Site Account, a separate account in the general revenue fund under Government Code sec. 442.073. Any money in the account not used in a fiscal year remains in the account.

According to the Legislative Budget Board, the Legislature appropriated \$295.6 million, or 88.6 percent of the sporting goods sales tax estimated to be available in the fiscal 2018-19 biennium.

DIGEST: HB 1214 would require the Legislature to allocate money generated from the sporting goods sales tax and credited to the Texas Parks and Wildlife Department (TPWD) to department accounts in amounts specified by the general appropriations act.

The bill would expand the authorized uses of the TPWD accounts to include paying debt services on bonds issued by the department and would specify how the accounts could be used to fund the state contribution for certain employee benefit-related costs.

HB 1214 would make the Historic Site Account a dedicated account in the general revenue fund effective January 1, 2020. The bill also would remove provisions exempting the account from statutory requirements on dedicated accounts and requiring money not used in a fiscal year to remain in the account.

The bill would take effect only if a proposed constitutional amendment requiring the automatic appropriation of net revenue received from the

collection of state taxes imposed on sporting goods to TPWD and the Texas Historic Commission was approved by voters. If that amendment was not approved by the voters, this bill would have no effect.

The bill would take effect September 1, 2021.

**SUPPORTERS
SAY:**

HB 1214 would correct a loophole in current statute that was unintended when the Legislature first decided to direct the portion of the state sales tax generated from sporting goods to TPWD and THC. Currently, not all of the generated revenue is actually provided to the agencies by the Legislature through the state budget, resulting in state and local parks and historic sites going underfunded.

Parks and historic sites are aging, and there are millions of dollars in needs for deferred maintenance projects. It is important to fully fund parks since they have a positive economic impact on several industries, including tourism, fishing, hunting, and others. An automatic, sustainable funding source from the sporting goods sales tax, as required by the bill, would allow TPWD and THC to access enough funds for planning and repairs for our crumbling parks and historic sites, ensuring that Texans can enjoy these places for years to come.

The bill simply would clarify that the revenue generated from the sporting goods sales tax required to be deposited into TPWD and THC accounts would be automatically appropriated to those agencies, rather than remaining unspent. Lawmakers would have the ability to reduce appropriations at their discretion by up to 50 percent. HB 1214, in combination with HJR 39 by Cyrier, would leave the question up to the voters on whether Texans want to fully fund their state parks and historic sites.

**OPPONENTS
SAY:**

HB 1214, by making certain accounts general revenue dedicated accounts, would remove the Legislature's ability to use discretion when budgeting. Dedicated accounts give appropriators less flexibility and could lead to unnecessary growth of the state budget by requiring money to go to one area even if needs were greater in another.

OTHER

HB 1214 would require THC to make the Historic Site Account a general

OPPONENTS
SAY:

revenue dedicated account, which would give THC less flexibility in budgeting and could affect how the commission absorbed certain costs like employee benefits. THC already has the authority to make the account a dedicated account if it chooses, so this provision would be unnecessary.

NOTES:

HB 1214 is the enabling legislation for HJR 39 by Cyrier, which would amend the Texas Constitution to automatically appropriate revenue from the sales tax imposed on sporting goods to TPWD and THC. HJR 39 is set for second reading consideration today on the Constitutional Amendments Calendar.

According to the Legislative Budget Board, the bill would have an estimated negative impact of \$545,000 in general revenue related funds through fiscal 2020-21.

SUBJECT: Dedicating sporting goods sales tax revenue to TPWD and THC

COMMITTEE: Appropriations — favorable, without amendment

VOTE: 23 ayes — Zerwas, Longoria, C. Bell, G. Bonnen, Buckley, Capriglione, Cortez, S. Davis, M. González, Hefner, Howard, Jarvis Johnson, Miller, Muñoz, Schaefer, Sherman, Smith, Stucky, Toth, J. Turner, VanDeaver, Walle, Wilson

0 nays

4 absent — Minjarez, Rose, Sheffield, Wu

WITNESSES: For — (*Registered, but did not testify*: Brian Tickle, Access Fund; Lauren Spreen, Apache Corporation; Tammy Embrey, City of Corpus Christi; Guadalupe Cuellar, City of El Paso; Sally Bakko, City of Galveston; Christine Wright, City of San Antonio; Dennis Borel, Coalition of Texans with Disabilities; Joey Park, Coastal Conservation Association Texas, Texas Wildlife Association, Texas Agriculture Land Trust; Kirby Brown, Ducks Unlimited; Allison Brooks, Friends Of Lake Wood; David Sinclair, Game Warden Peace Officers Association; Pamela Bixby, League of Women Voters Texas; Bill Kelly, City of Houston Mayor's Office; Cary Dupuy, National Parks Conservation Association; Scott Moorhead, Texas Audubon; Janice Bezanson, Texas Conservation Alliance; John Shepperd, Texas Foundation for Conservation and Texas Coalition for Conservation; Scott Houston, Texas Municipal League; Ron Hinkle, Texas Travel Industry Association;; Laura Huffman, The Nature Conservancy; Alexis Tatum, Travis County Commissioners Court)

Against — None

On — (*Registered, but did not testify*: Brent Leisure and Mike Jensen, Texas Parks and Wildlife Department)

BACKGROUND: Tax Code sec. 151.801 requires 94 percent of the proceeds from the collection of state taxes imposed on the sale, storage, or use of sporting goods to be credited to the Texas Parks and Wildlife Department

(TPWD), while 6 percent is credited to the Texas Historical Commission (THC). The comptroller determines the amounts deposited to the funds.

Funds credited to TPWD accounts may be appropriated only to acquire, operate, maintain, and make capital improvements to parks; provide state assistance for local parks; and fund the state contributions for certain employee benefits.

Funds credited to THC are deposited to the Historic Site Account, a separate account in the general revenue fund under Government Code sec. 442.073. Any money in the account not used in a fiscal year remains in the account.

According to the Legislative Budget Board, the Legislature appropriated \$295.6 million, or 88.6 percent of the sporting goods sales tax estimated to be available in the fiscal 2018-19 biennium.

DIGEST: HJR 39 would amend the Texas Constitution to automatically appropriate to the Texas Parks and Wildlife Department (TPWD) and the Texas Historical Commission (THC) the net revenue collected from any state taxes imposed on the sale, storage, use, or consumption of sporting goods as provided by general law.

The Legislature could limit the use of these funds and, by adoption of a resolution approved by a record vote of two-thirds the membership of each house, could direct the comptroller to reduce by up to 50 percent of the amount that would otherwise be appropriated to TPWD and THC. The comptroller could make that reduction only in the current or next two fiscal years.

Funds automatically appropriated to TPWD and THC could not be considered available for certification of the budget.

The ballot proposal would be presented to voters at an election on November 5, 2019, and would read: "The constitutional amendment requiring the automatic appropriation of the net revenue received from the collection of state taxes imposed on the sale, storage, use, or other consumption in this state of certain sporting goods to the Parks and

Wildlife Department and the Texas Historical Commission."

If approved by voters, HJR 39 would take effect September 1, 2021, and would apply only to state tax revenue collected on or after that date.

**SUPPORTERS
SAY:**

HJR 39 would correct a loophole in current statute that was unintended when the Legislature first decided to direct the portion of the state sales tax generated from sporting goods to the Texas Parks and Wildlife Department (TPWD) and the Texas Historical Commission (THC). Currently, not all of the generated revenue is actually provided to the agencies by the Legislature through the state budget, resulting in our state and local parks and historic sites going underfunded.

Parks and historic sites are aging, and there are millions of dollars in needs for deferred maintenance projects. It is important to fully fund parks since they have a positive economic impact on several industries, including tourism, fishing, hunting, and others. An automatic, sustainable funding source from the sporting goods sales tax, as required by the joint resolution, would allow TPWD and THC to access enough funds for planning and repairs for our crumbling parks and historic sites, ensuring that Texans can enjoy these places for years to come.

The resolution simply would clarify that the revenue generated from the sporting goods sales tax required to be deposited into TPWD and THC accounts would be automatically appropriated to those agencies, rather than remaining unspent. Lawmakers would have the ability to reduce appropriations at their discretion by up to 50 percent. HJR 39, in combination with HB 1214 by Cyrier, would leave the question up to the voters on whether Texans want to fully fund their state parks and historic sites.

**OPPONENTS
SAY:**

By making certain accounts general revenue dedicated accounts, HJR 39 would remove the Legislature's ability to use discretion when budgeting. Dedicated accounts give appropriators less flexibility and could lead to unnecessary growth of the state budget by requiring money to go to one area, even if needs were greater in another.

HJR 39
House Research Organization
page 4

OTHER
OPPONENTS
SAY:

HJR 39, in combination with HB 1214, would require the Texas Historical Commission (THC) to make the Historic Site Account a general revenue dedicated account, which would give THC less flexibility in budgeting and could affect how the commission absorbed certain costs like employee benefits. THC already has the authority to make the account a dedicated account if it chooses, so this provision would be unnecessary.

NOTES:

HB 1214 by Cyrier, the enabling legislation for HJR 39, is set for second reading consideration today on the Major State Calendar.

According to the Legislative Budget Board, HJR 39 would cost the general revenue fund \$177,289 in fiscal 2020-21 for publication of the resolution.

SUBJECT: Amending the Texas Constitution to allow a tax exemption after a disaster

COMMITTEE: Ways and Means — favorable, without amendment

VOTE: 10 ayes — Burrows, Guillen, Bohac, Cole, Martinez Fischer, Murphy,
Noble, Sanford, Shaheen, Wray

0 nays

1 absent — E. Rodriguez

WITNESSES: For — Brent South, Texas Association of Appraisal Districts; (*Registered, but did not testify*: Paula Bulcao, British Petroleum America; Dick Lavine, Center for Public Policy Priorities; Randy Cain, City of Dallas; Clint Magee, Linebarger Goggan Blair & Sampson, LLP; Larry Gaddes, Tax Assessor-Collector Association of Texas; Ned Munoz, Texas Association of Builders; Katy Reagan, Texas Association of Counties; R. Clint Smith, Texas Association of Property Tax Consultants; Amanda Brownson, Texas Association of School Business Officials; Shanna Igo, Texas Municipal League; Julia Parenteau, Texas Realtors; James LeBas, Texas Oil and Gas Association; Deborah Cartwright, Texas Taxpayers and Research Association; James Popp)

Against — (*Registered, but did not testify*: Cheryl Johnson, Galveston County Tax Office)

DIGEST: HJR 34 would amend the Texas Constitution to allow the Legislature to create a temporary property tax exemption that a political subdivision could adopt for persons owning property in an area that was declared a disaster area by the governor. The Legislature could prescribe the method of determining the amount and duration of the exemption, as well as any additional eligibility requirements.

The ballot proposal would be presented to voters at an election on November 5, 2019, and would read: "The constitutional amendment authorizing the legislature to provide for a temporary local option exemption from ad valorem taxation of a portion of the appraised value of

certain property damaged by a disaster."

**SUPPORTERS
SAY:**

HJR 34 would enable the Legislature to provide taxing units with a cheaper, more administrable, and more easily understood method for providing property tax relief to taxpayers following a disaster. The exemption allowed by HJR 34 would be easier and more affordable for taxing units than the current method of reappraising property following a disaster. Taxpayers also are more familiar with an exemption than with reappraisals, and an exemption would provide taxpayers with more immediate relief.

**OPPONENTS
SAY:**

HJR 34 would not go far enough in providing property tax relief to taxpayers following a disaster. Any such relief should be mandatory.

NOTES:

According to the Legislative Budget Board, HJR 34 would have no fiscal implication to the state other than the cost for publication of the resolution, which would be \$177,289.

HB 492 by Shine, the enabling legislation for HJR 34, was scheduled for third reading consideration on today's calendar.

SUBJECT: Issuing bonds for fund to help political subdivisions after a disaster

COMMITTEE: Appropriations — favorable, without amendment

VOTE: 24 ayes — Zerwas, Longoria, C. Bell, G. Bonnen, Buckley, Capriglione, Cortez, S. Davis, Hefner, Howard, Jarvis Johnson, Miller, Minjarez, Muñoz, Schaefer, Sheffield, Sherman, Smith, Stucky, Toth, J. Turner, Walle, Wilson, Wu

0 nays

3 absent — M. González, Rose, VanDeaver

WITNESSES: For — (*Registered, but did not testify*: Guadalupe Cuellar, City of El Paso; Ender Reed, Harris County Commissioners Court; Meghan Weller, HCA Healthcare; Jennifer Emerson, Metropolitan Transit Authority of Harris County, Texas Rural Water Association; Ryan Ambrose, MHHS; Annie Spilman, National Federation of Independent Business; Mel Caraway, North Texas Conference of the United Methodist Church; Jessica Schleifer, Teaching Hospitals of Texas; Ned Muñoz, Texas Association of Builders; Windy Johnson, Texas Conference of Urban Counties; Joshua Houston, Texas Impact; Emily Northrop, Texas Impact, Society of Friends; Richard Ertel, Texas Impact, Poverty & Justice Task Force of the Southwestern Texas Synod of the Evangelical Lutheran Church of America; Monty Wynn, Texas Municipal League; Perry Fowler, Texas Water Infrastructure Network; Dale Bulla; Pat Bulla; Kathi Thomas)

Against — None

On — (*Registered, but did not testify*: Piper Montemayor, Comptroller of Public Accounts; Jeff Walker, Texas Water Development Board)

DIGEST: HJR 145 would amend the Texas Constitution to allow the Legislature to authorize the disaster reinvestment and infrastructure planning board to sell up to \$500 million in general state obligation bonds and to enter into related credit agreements. Proceeds from bond sales would be deposited in the disaster reinvestment and infrastructure planning revolving fund and

could be used only for a purpose of that fund. The expenses to issue the bonds would have to be paid from the fund.

The bonds authorized would be a general obligation of the state. While any of the bonds or interest on the bonds was unpaid, there would be appropriated out of the first money coming into the treasury each fiscal year not otherwise appropriated by the Constitution an amount sufficient to pay the principal of and interest on bonds that matured or became due during the fiscal year, including amounts to make payments under a related credit agreement.

The proceeds from the issuance and sale of the bonds, and the interest earned on the bonds, would be appropriated when received by the state and could be used as provided by this section and law enacted under this section without further appropriation.

The ballot proposal would be presented to voters at an election on November 5, 2019, and would read: "The constitutional amendment authorizing the issuance of general obligation bonds to provide financial assistance to political subdivisions located in areas of the state affected by a disaster."

**SUPPORTERS
SAY:**

HJR 145 would help speed up recovery in Texas in the event of future natural disasters by putting in place a source of funds to help with cities and counties with restoring public infrastructure. Currently, while local, state, and federal funds may be allocated to help rebuild public infrastructure after a disaster, it can be months or years before funds are actually available for spending. For example, not all federal funds for 2017's Hurricane Harvey relief have been disbursed. State and local governments cannot be subject to this kind of timetable to begin recovering and rebuilding after a disaster.

HJR 145 would help address this need for immediate action after a disaster by asking Texas voters to approve bonds and setting up the mechanism to put the bond proceeds in a disaster reinvestment and infrastructure planning (DRIP) fund that could be created by other legislation to provide grants and loans to cities and counties to rebuild after a disaster and to harden infrastructure against future events.

Funding a disaster revolving fund with bond proceeds would give the state another tool to help local governments respond to disasters and plan for the future. It is important to have funds set aside specifically for this purpose and to have them ready to be disbursed quickly so that cities and counties do not have to wait while federal funds wind their way through federal bureaucracy or for the Legislature to enter session.

The bond funds would have a significant impact because they would be put in a revolving fund that provided both loans and grants. Loans would be repaid and could be used again, keeping the fund going. The fund would have the flexibility to make grants if circumstances warranted, such as the need to protect public health by helping rebuild a hospital not eligible for other funds and without enough insurance to rebuild. An easily accessible revolving fund would complement the Legislature's use of other funds, such as the Economic Stabilization Fund, which have to be appropriated during legislative sessions. For example, in the case of Harvey, the Economic Stabilization Fund has been used to pay for the immediate response; if the DRIP were in existence, it could have been used for rebuilding efforts, to provide matching funds for federal resources, and to help mitigate future disasters.

The bonds that would be authorized by HJR 145 and the DRIP fund would be similar to the state's use of bond funds for the State Water Implementation Fund for Texas, which helps local governments fund projects in the state water plan.

**OPPONENTS
SAY:**

HJR 145 could be unnecessary as the state has the Economic Stabilization Fund available in the case of a disaster. The state should maintain its budgeting flexibility and address its needs through revenue available for any purpose rather than use bonds proceeds restricted for a specific use.

NOTES:

According to the Legislative Budget Board, there would be an indeterminate negative fiscal impact to the state depending on the amount, timing, and structure of the general obligation bonds issued under the provisions of HJR 145.

The cost to the state for publication of the resolution would be \$177,289.

SUBJECT: Extending payment of claims for CPRIT grants

COMMITTEE: Appropriations — favorable, without amendment

VOTE: 23 ayes — Zerwas, Longoria, C. Bell, G. Bonnen, Buckley, Capriglione, Cortez, S. Davis, M. González, Hefner, Howard, Jarvis Johnson, Miller, Muñoz, Schaefer, Sherman, Smith, Stucky, Toth, J. Turner, VanDeaver, Walle, Wilson

0 nays

4 absent — Minjarez, Rose, Sheffield, Wu

WITNESSES: For — (*Registered, but did not testify*: Marina Hench, American Cancer Society Cancer Action Network; Christina Hoppe, Children's Hospital Association of Texas)

Against — (*Registered, but did not testify*: Jim Baxa)

On — Heidi McConnell, Cancer Prevention and Research Institute of Texas

BACKGROUND: Government Code sec. 403.071(b) prohibits claims from being paid from appropriations unless claims are presented to the comptroller of public accounts for payment within two years after the end of the fiscal year for which the appropriation was made. Certain claims, including those for new construction contracts, are excepted from this prohibition and subject to other deadlines.

DIGEST: HB 2570 would authorize a claim related to grants awarded by the Cancer Prevention and Research Institute of Texas to be paid from an appropriation up to seven years after the end of the fiscal year for which the appropriation was made.

The bill would take effect September 1, 2019.

SUPPORTERS SAY: HB 2570 would allow the Cancer Prevention and Research Institute of

Texas (CPRIT) to pay reimbursement claims on multi-year cancer research grants up to seven years after the year of appropriation during which the grants were funded. Current law limits claims payments from appropriations of general revenue sources of funding to two years following the year of appropriation. Without this change, CPRIT could not award grants that exceeded a three-year timeframe using Economic Stabilization or general revenue funds. This would hinder progress on cancer research since groundbreaking new discoveries are not made on a strict timeline and often require multiple years of funding and support.

Funding CPRIT is an investment into the state economy. Its programs have created thousands of jobs, attracted billions of dollars in economic activity, and encouraged biotech companies to expand or relocate to Texas. CPRIT's efforts have been shown to reduce cancer costs, serving an important state goal by enhancing patients' quality of life, productivity, and lifespans. HB 2570 would give CPRIT greater flexibility to continue supporting work that benefits all of Texas.

**OPPONENTS
SAY:**

HB 2570 inappropriately would allow the Cancer Prevention and Research Institute of Texas (CPRIT) to continue to pay reimbursement claims. Rather than allowing multi-year cancer research grants to be reimbursed for up to seven years after the year the appropriation supporting the grants was made, the Legislature should use this time to discuss CPRIT's long-term future, including a plan for it to become financially self-sufficient. Funding cancer research is not an essential function of state government, and although CPRIT's mission is noble, funds for the agency could be better spent on other priorities.

SUBJECT: Updating dedicated fund balances available for budget certification

COMMITTEE: Appropriations — favorable, without amendment

VOTE: 22 ayes — Zerwas, Longoria, C. Bell, G. Bonnen, Buckley, Capriglione, Cortez, S. Davis, M. González, Hefner, Howard, Jarvis Johnson, Miller, Muñoz, Sherman, Smith, Stucky, Toth, J. Turner, VanDeaver, Walle, Wilson

1 nay — Schaefer

4 absent — Minjarez, Rose, Sheffield, Wu

WITNESSES: For — None

Against — None

On — (*Registered, but did not testify*: Jennifer Quereau and Brendon Riggs, Legislative Budget Board; Dolores Fojtasek, Sam Miller, and Jennifer Duran, Texas Comptroller of Public Accounts)

BACKGROUND: General revenue dedicated funds are funds collected for a specific purpose designated in state law. In 1991, during a process called funds consolidation, the Legislature began phasing out restrictions on many dedicated revenue funds and changing the methods of fund accounting. While some funds were abolished, some were not. Since that time, the Legislature has enacted funds consolidation bills detailing which funds, accounts, and dedications were exempt from being abolished.

Unappropriated cash balances in general revenue dedicated accounts are counted as available to certify general revenue fund appropriations, according to the Legislative Budget Board's *Fiscal Size-Up for the 2018-19 Biennium*. Government Code sec. 403.095(b) makes dedicated revenue that on August 31, 2019, exceeds appropriated or encumbered amounts available for general government purposes and considers that dedicated revenue to be available for budget certification.

Texas Constitution, Art. 3, sec. 49a limits state spending to the amount of revenue the comptroller estimates will be available during the two-year budget period. The comptroller must certify that the state will have enough revenue to pay for approved spending.

DIGEST:

HB 3317 would update references in Government Code sec. 403.095(b) that govern the use of dedicated revenues to extend its provisions through fiscal 2021 and to make them apply to the 86th Legislature. The section would expire September 1, 2021. As a result, dedicated revenues that on August 31, 2021, were estimated to exceed the amount appropriated by the general appropriations act or other laws enacted by the 86th Legislature would be available for general purposes and would be considered available for budget certification.

The bill would abolish funds and accounts created, recreated, or dedicated by the 86th Legislature on the later of August 31, 2019, or the date of when the act creating or dedicating them took effect.

Excluded from being abolished would be dedications, funds, and accounts that were enacted before the 86th Legislature convened to comply with requirements of state constitutional or federal law or that remained exempt from being abolished during funds consolidation. Abolition also would not apply to increases in fees or in other dedicated revenue and to increases in fees required to be deposited in a fund or account that was previously excluded. Certain federal funds, trust funds, bond funds, and constitutional funds also would be excluded.

The bill would not abolish newly authorized dedications or uses of dedicated funds or dedicated accounts, as provided by the 86th Legislature, if an act affected a fund or account that was exempted from fund consolidation before January 1, 2019, and the newly authorized use was within the scope of the original dedication.

Interest or other earnings accruing on revenue in accounts in the general revenue fund that are available for certification would be available for any general governmental purpose. This would not apply to interest on seven funds or types of funds listed in the bill.

By September 30, 2019, the comptroller would have to take actions related to specialty license plates that were last applied to those accounts in 2015. The comptroller would have to eliminate all dedicated accounts established for specialty license plates and set aside the balances of those dedicated accounts for appropriations only for the purposes in their dedication. After September 1, 2019, the portion of a fee designated for a dedicated account would have to be paid instead to an account in a trust fund outside the general revenue fund which could be allocated only as provided for in the dedications of the revenue.

The bill would prevail over any other act of the 86th Legislature that attempted to create a special fund or account or to dedicate revenue. Any exemption from Government Code sec. 403.095 provisions governing the use of dedicated revenue that was in another act of the 86th Legislature would have no effect. Revenue that would be deposited in a special account or fund under another act of the 86th Legislature would be deposited in the undedicated portion of the general revenue fund unless exempted under the bill.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect on the 91st day after the last day of the legislative session.

SUBJECT: Appropriations for miscellaneous claims and judgments against the state

COMMITTEE: Appropriations — favorable, without amendment

VOTE: 23 ayes — Zerwas, Longoria, C. Bell, G. Bonnen, Buckley, Capriglione, Cortez, S. Davis, M. González, Hefner, Howard, Jarvis Johnson, Miller, Muñoz, Schaefer, Sherman, Smith, Stucky, Toth, J. Turner, VanDeaver, Walle, Wilson

0 nays

4 absent — Minjarez, Rose, Sheffield, Wu

WITNESSES: For — None

Against — None

On — Ed Heimlich; (*Registered, but did not testify*: Darren McCarty, Office of the Attorney General; Dolores Fojtasek and Jennifer Duran, Texas Comptroller of Public Accounts)

BACKGROUND: For decades, each general appropriations act has contained a rider prohibiting the use of funds to pay any judgment or settlement against the state unless the funds are appropriated specifically for such purposes. The provisions are included in Art. 9, sec. 16.04 of the House-passed version of the fiscal 2020-21 general appropriations act.

Each session a bill is filed to appropriate money to pay those who have been awarded a judgment against the state and various other unpaid claims and charges. In some cases, the Legislature must approve certain types of claims. Those who are legally entitled to these funds cannot receive them unless and until the Legislature appropriates the funds.

DIGEST: HB 4071 would appropriate money from various accounts to pay outstanding claims and judgments against the state, which are listed individually in the bill.

The bill would appropriate \$10.2 million from the general revenue fund; \$5.2 million from the state highway fund; \$797 from the Texas Commission on Law Enforcement general revenue account; \$7,643 from the water resources management general revenue account; \$24,586 from the federal civil defense and disaster relief general revenue account; \$152 from the hazardous and solid waste remediation fees general revenue account; \$1,502 from the lottery general revenue account; \$3,200 from the veterans financial assistance program fund; and \$902 from the unemployment compensation clearance account.

Each claim would have to be verified and substantiated by the administrator of the fund or account that is being charged and be approved by the comptroller and the attorney general.

The bill would take effect September 1, 2019.

SUBJECT: Changing the frequency of state agency reports

COMMITTEE: State Affairs — favorable, without amendment

VOTE: 12 ayes — Phelan, Hernandez, Deshotel, Guerra, Harless, Holland,
Hunter, P. King, Parker, E. Rodriguez, Smithee, Springer

0 nays

1 absent — Raymond

WITNESSES: For — (*Registered, but did not testify*: James Mathis, Occidental
Petroleum)

Against — None

On — (*Registered, but did not testify*: Greg Conte, Comptroller of Public
Accounts; Cyrus Reed, Sierra Club Lone Star Chapter; Joshua Clark,
Texas State Library and Archives Commission)

BACKGROUND: Government Code sec. 2052.0021 establishes that state agency reports
required by law may be made available to members of the Legislature.

DIGEST: HB 3912 would exempt state agencies with a requirement to submit a
report to the Legislature for an indefinite period from having to submit
such report after the 10th anniversary of the agency's first submission. The
agencies would be required to include the last required reporting date for
the agency in each report to the Legislature.

The bill would take effect September 1, 2019.

SUBJECT: Waiving certain license fees for CPR-certified individuals

COMMITTEE: Homeland Security and Public Safety — committee substitute recommended

VOTE: 9 ayes — Nevárez, Paul, Burns, Calanni, Clardy, Goodwin, Israel, Lang, Tinderholt
0 nays

WITNESSES: For — Paul Martin, National Association of Mutual Insurance Companies; Raymond Oliverson; (*Registered, but did not testify:* Susan Ross, State Farm Insurance; Carrie Kroll, Texas Hospital Association; Cathy DeWitt, USAA; Mike Meroney)

Against — None

On — Sheri Gipson, Department of Public Safety Driver License Division; (*Registered, but did not testify:* Steve Moninger and Wayne Mueller, Department of Public Safety)

BACKGROUND: Some suggest that providing financial incentives could encourage individuals to become CPR-certified and increase the number of Texans who could administer this lifesaving treatment.

DIGEST: CSHB 1078 would require the Texas Department of Public Safety to waive any fee necessary for the issuance of an original or renewed handgun or driver's license if an applicant submitted satisfactory evidence to the department that the person:

- held a current certificate in cardiopulmonary resuscitation (CPR) issued by a nationally recognized association; and
- was not required to be CPR-certified as a condition for employment or an occupational license.

The bill would take effect September 1, 2019, and would apply only to an application for an original or renewed handgun or driver's license

submitted on or after the effective date.

NOTES: According to the Legislative Budget Board, the bill could result in an indeterminate loss of state fee revenue.